

1 ALAN R. SMITH, ESQ. #1449
2 HOLLY E. ESTES, ESQ. #11797
3 Law Offices of Alan R. Smith
4 505 Ridge Street
5 Reno, Nevada 89501
6 Telephone (775) 786-4579
7 Facsimile (775) 786-3066
8 Email: mail@asmithlaw.com
9 Attorney for Debtors
10 ANTHONY THOMAS and WENDI
11 THOMAS and AT EMERALD, LLC

ELECTRONICALLY FILED
June 23, 2014

9 UNITED STATES BANKRUPTCY COURT

10 DISTRICT OF NEVADA

11 —ooOoo—

12 In Re:
13 ANTHONY THOMAS and
14 WENDI THOMAS,
15 AT EMERALD, LLC,

Case No. BK-N-14-50333-BTB
Case No. BK-N-14-50331-BTB

Chapter 11 Cases

[Jointly Administered]

**DECLARATION OF ALAN R. SMITH
IN SUPPORT OF EX PARTE MOTION
FOR ORDER SHORTENING TIME
FOR NOTICE AND HEARING ON
MOTION TO SELL ASSETS FREE
AND CLEAR OF LIENS AND
MOTION TO FILE PURCHASE AND
SALE AGREEMENT UNDER SEAL**

20 Hearing Date: OST Pending
21 Hearing Time: OST Pending

17 Debtors,
18
19

21 /

22 I, ALAN R. SMITH, hereby declare under penalty of perjury that the following
23 assertions are true:

24 1. I am the court appointed general counsel for the Debtor in the above-captioned
25 Chapter 11 case. I have personal knowledge of the facts herein stated, and if called to testify
26 as to such facts I would and could do so competently.

27 2. I have caused to be filed today an Ex Parte Motion For Order Shortening Time
28 For Notice and Hearing on Motion To Sell Assets Free And Clear Of Liens And Motion To

1 File Purchase And Sale Agreement Under Seal. The reason for the request to shorten time
2 is set forth in the Ex Parte Motion, and is adopted in this Declaration.

3 3. Pursuant to the Motion To Sell Assets Free And Clear Of Liens And Motion To
4 File Purchase And Sale Agreement Under Seal, the Debtor seeks an order authorizing the
5 immediate the sale of Debtor's asset, a 21,000 carat emerald. Ordinary notice requirements
6 cannot be met without an order shortening time for a hearing to approve the immediate sale.
7 Debtor requests that the motion be heard within seven days of the filing of the Motion as
8 required by the Purchase And Sale Agreement.

9 DATED this 23rd day of June, 2012.

10 By: /s/ Alan R. Smith
11 ALAN R. SMITH, ESQ.
12 Attorney for Debtors